

1A/P10 Rec'd PCT/PTO 19 DEC 2005

PATENT
ATTORNEY DOCKET NO. 50254/005002

Certificate of Mailing

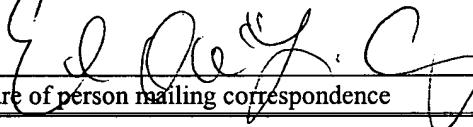
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Elvis DeLaCruz

Printed name of person mailing correspondence


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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | |
|-------------|--|---------------|------------------|
| Applicant: | TONER et al. | Art Unit: | Not Yet Assigned |
| Serial No.: | 10/529,453 | Examiner: | Not Yet Assigned |
| Filed: | March 28, 2005 | Customer No.: | 21559 |
| Title: | MICROFLUIDIC DEVICE FOR CELL SEPARATION AND USES THEREOF | | |

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REPLY TO NOTIFICATION OF MISSING REQUIREMENTS

In reply to the Notification of Missing Requirements that was mailed in connection with the above-captioned application on October 31, 2005, a copy of which is enclosed, Applicants, as a small entity, submit the following:

A Combined Declaration and Power of Attorney in compliance with 37 C.F.R. § 1.497(a) and (b), an Application Data Sheet having been submitted previously.

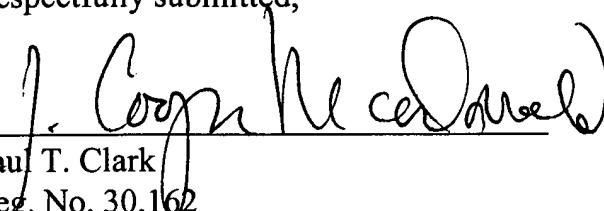
A surcharge under 37 C.F.R. § 1.492(e) of \$65.00 because the declaration is being submitted after 30 months from the priority date.

If there are any charges or any credits, please apply them to Deposit Account No.

03-2095.

Respectfully submitted,

Date: December 9, 2005


Paul T. Clark
Reg. No. 30,162

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Facsimile: 617-428-7045

**J. Cooper McDonald, Ph.D.
Patent Agent
Reg. No. 52,011**

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UNITED STATES PATENT AND TRADEMARK OFFICE

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|--|-----------------------|------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/529,453 | Mehmet Toner | 50254/005002 |
| INTERNATIONAL APPLICATION NO. | | |
| PCT/US03/30965 | | |
| I.A. FILING DATE | | PRIORITY DATE |
| 09/29/2003 | | 09/27/2002 |
| CONFIRMATION NO. 8260 | | |
| 371 FORMALITIES LETTER | | |
| <small>*OC000000017357688*</small> | | |

Date Mailed: 10/31/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 03/28/2005
- Copy of the International Search Report filed on 03/28/2005
- Copy of IPE Report filed on 03/28/2005
- Preliminary Amendments filed on 03/28/2005
- Oath or Declaration filed on 03/28/2005
- Request for Immediate Examination filed on 03/28/2005
- U.S. Basic National Fees filed on 03/28/2005
- Priority Documents filed on 03/28/2005

ACTION DUE Reply
 DUE DATE 12.31.05
 ESP 4.30.06
 INITIALS JRW

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$65** for a Small Entity:

- **\$65** Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAREN R MCLEAN

Telephone: (703) 308-9140 EXT 214

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/529,453 | PCT/US03/30965 | 50254/005002 |

FORM PCT/DO/EO/905 (371 Formalities Notice)